<u>REMARKS</u>

Claims 1-3, 6, 8-10, and 15-22 are pending in the application. Applicant respectfully notes the Examiner mistakenly states in the Office Action of November 16, 2007 that claims 1-22 are pending. In the final Office Action of November 16, 2007, the Examiner made the following disposition:

A.)   Rejected claims 1-3, 6, 8-10, and 15-22 under 35 U.S.C. 112, first paragraph.

B.)   Rejected claims 1-3, 6, 8-10, and 15-22 under 35 U.S.C. 112, second paragraph.

C.)   Rejected claims 1-3, 6, 8-10, and 15-22 on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-46 of U.S. 6,418,444.

D.)   Rejected claims 1-3, 6, 8-10, and 15-22 on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-69 of U.S. 6,742,006.

E.)   Rejected claims 1-3, 6, 8-10, and 15-22 under 35 U.S.C. §102(e) as being anticipated by *Montgomery, et al. (U.S. 7,127,605)("Montgomery")*.

Applicant respectfully traverses the rejections and addresses the Examiner's disposition below. Claims 1, 9, 16, and 22 have been amended. Claim 2 has been canceled.

A.)   <u>Rejection of claims 1-3, 6, 8-10, and 15-22 under 35 U.S.C. 112, first paragraph:</u>

Independent claims 1, 9, 16, and 22 have been amended as per the Examiner's request to overcome the rejection. Support for the relevant claimed subject matter can be found, for example, at paragraph [0041] of the specification.

Claims 3, 8, 10, 15, 17, and 18 depend directly or indirectly from claims 1, 9, or 16 and are therefore allowable for at least the same reasons that claims 1, 9, and 16 are allowable.

Claims 19-21 have been canceled.

Applicant respectfully submits the rejection has been overcome and requests that it be withdrawn.

B.)   <u>Rejection of claims 1-3, 6, 8-10, and 15-22 under 35 U.S.C. 112, second paragraph:</u>

Independent claims 1, 9, 16, and 22 have been amended as per the Examiner's request to overcome the rejection.

Claims 3, 8, 10, 15, 17, and 18 depend directly or indirectly from claims 1, 9, or 16 and are

therefore allowable for at least the same reasons that claims 1, 9, and 16 are allowable.

Claims 19-21 have been canceled.

Applicant respectfully submits the rejection has been overcome and requests that it be withdrawn.

C.) Rejection of claims 1-3, 6, 8-10, and 15-22 on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-46 of U.S. 6,418,444:

Applicant submits a terminal disclaimer herewith in accordance with the Examiner's request to overcome the rejection.

Applicant respectfully submits the rejection has been overcome and requests that it be withdrawn.

D.) Rejection of claims 1-3, 6, 8-10, and 15-22 on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-69 of U.S. 6,742,006:

Applicant submits a terminal disclaimer herewith in accordance with the Examiner's request to overcome the rejection.

Applicant respectfully submits the rejection has been overcome and requests that it be withdrawn.

E.) Rejection of claims 1-3, 6, 8-10, and 15-22 under 35 U.S.C. §102(e) as being anticipated by *Montgomery, et al. (U.S. 7,127,605)("Montgomery")*:

Applicant respectfully disagrees with the rejection.

Applicant's claims each claim subject matter relating to first and second firewall control blocks that each includes a firewall control value and a firewall control indicator. The firewall control value includes an application identifier data having a resource identifier and a proprietary identifier extension. The firewall control indicator is an indicator value represented by one or more bytes that indicate how the firewall control value should be interpreted with respect to access privileges of other applications.

When the firewall control indicator has a first indicator value, the respective firewall control block compares a first application's firewall control block's proprietary identifier extension to a

second application's firewall control block's proprietary identifier extension. When the respective firewall control indicator has a second indicator value, the respective firewall control block compares the first application's firewall control block's proprietary identifier extension and resource identifier to the second application's firewall control block's proprietary identifier extension and resource identifier.

This is clearly unlike *Montgomery*, which fails to disclose or suggest Applicant's claimed subject matter relating to comparing either proprietary identifier extensions or both proprietary identifier extensions and resource identifiers based on a firewall indicator value. The Examiner acknowledges that *Montgomery* fails to explicitly teach this claimed subject matter. *Office Action of 11/16/2007*, page 4. However, it appears that the Examiner argues that *Montgomery* inherently teaches the claimed limitations. Applicant disagrees.

To establish inherency, a reference "must make clear that the missing descriptive matter is necessarily present in the thing described in the reference, and that it would be so recognized by persons of ordinary skill." . . . "Inherency, however, may not be established by probabilities or possibilities. The mere fact that a certain thing may result from a given set of circumstances is not sufficient." *In re* Robertson, 169 F.3d 743, 745, 49 U.S.P.Q.2d 1949, 1950 (Fed. Cir. 1999). *Montgomery* generally describes that various values, such as application identifiers (AID) and keys, can be used to allow access through a firewall. *Montgomery* 3:28-42 and 5:21-27. However, unlike Applicant's claimed invention, nowhere does *Montgomery* teach or suggest comparing either proprietary identifier extensions or both proprietary identifier extensions and resource identifiers based on a firewall indicator value. In fact, nowhere does *Montgomery* teach or suggest Applicant's claimed firewall indicator value. This claimed value is simply not discussed in *Montgomery*. To allow access through a firewall, *Montgomery* may use a variety of mechanisms. For example, *Montgomery* may use application identifiers (AID) and keys. Thus, functionality to allow access through a firewall by comparing either proprietary identifier extensions or both proprietary identifier extensions and resource identifiers based on a firewall indicator value is not necessarily present in *Montgomery*. *Montgomery* simply does not necessarily use this functionality. Accordingly, it is incorrect to assume that it is inherently found in *Montgomery*.

For at least these reasons, Applicant submits the rejection has been overcome and requests that it be withdrawn.

CONCLUSION

In view of the foregoing, it is submitted that claims 1, 3, 6, 8-10, 15-18, and 22 are patentable. It is therefore submitted that the application is in condition for allowance. Notice to that effect is respectfully requested.

Respectfully submitted,
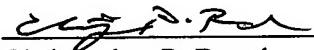
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